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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

Milan KACAVENDA

Application No.: 10/565,159

Group Art Unit: 2873

Filed: January 19, 2006

Examiner: Hung Xuan Dang

For: RECESSED HINGE TO MAKE THE TEMPLES OF SPECTACLES ELASTIC

INFORMATION DISCLOSURE STATEMENT WITH

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to Rules 56 and 98, Applicant hereby calls the attention of the Patent Office to the references listed on the attached Form PTO 1449

Applicant presents these references so the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rule 104. Applicant respectfully requests these references be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Supplemental Information on References of IDS of November 27, 2006

Also, Applicants inform the Patent Office that a prior IDS of November 27, 2006, cited references cited in a third party letter attached to an EPO Communication of August 28, 2006, in a corresponding application. Some of the references submitted in the IDS of November 27, 2006, namely IT 1239847, EP 0462936, US 5,400,090, IT 1147198 and US 1,729,901, were known to Applicant or Applicant's foreign representative prior to the EPO Communication. In particular, they were known to Applicant or Applicant's foreign representative shortly after being cited in a brief dated

July 7, 2006, in a case before the Court of Milan. The Court case in Milan involves the corresponding Italian priority application number BL2003A000011 and the Italian portion of the corresponding European application number 1646906. However, the Court of Milan is not a foreign patent office. Thus, applicant submits the certification under 37 CFR 1.97(c) and 1.97(e)(1) was correctly made in the IDS of November 27, 2006. Namely the certification that each item of information contained in the IDS of November 27, 2006, was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS of November 27, 2006.

However, if the Examiner believes the undersigned misinterpreted the certification and a fee pursuant to Rule 97(c) and Rule 17(p) is due to have the references of the IDS of November 27, 2006 considered then the Examiner is authorized to charge the fee to Deposit Account 19-4375.

Supplemental Information on References of the Present IDS

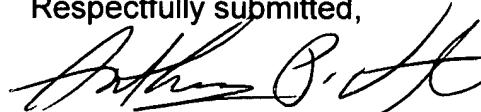
The above-mentioned brief filed in the Court of Milan also mentions the following documents: US 1,504,212, US 1,589,051, US 3,633,243, US 3,944,344, US 4,534,628. US 4,747,183 and FR 2340026. Of these documents, US 4,747,183, was cited in an IDS of January 19, 2006. The other references are cited by the present IDS.

Also for the present IDS, enclosed is Check No. 44231 in the amount of \$180.00 in payment of the fee for submitting an Information Disclosure Statement after the first Office Action but before Final Rejection pursuant to Rule 97(c) and Rule 17(p).

Respectfully submitted,

Date: Dec. 7, 2006

By:



Anthony P. Venturino
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APV/pgw

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FORM PTO-1449 U.S. Department of Commerce (Rev. 4/92) Patent and Trademark Office		ATTY. DOCKET NO. APV31917	APPLICATION NO. 10/565,159
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Milan KACAVENDA	O I P E APR 1 DEC 07 2006 PATENT & TRADEMARK OFFICE
(Use several sheets if necessary)		FILING DATE January 19, 2006	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	5	0	4	2	1	2	08/24	Carlson			
	1	5	8	9	0	5	1	06/26	Clulee			
	3	6	3	3	2	4	3	01/72	Dietrich et al.			
	3	9	4	4	3	4	4	03/76	Wichers			
	4	5	3	4	6	2	8	08/85	Morel			

FOREIGN PATENT DOCUMENTS

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.